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CASE 1880

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
HUANG, ET AL.
S.N. 09/882,123
FILED: 15 JUNE 2001
FOR: PREGELATINIZED STARCHES FOR
IMPROVED SNACK PRODUCTS

Group Art Unit: 1761
Examiner: TRAN LIEN, THUY

Commissioner of Patents and Trademarks
Alexandria, VA 22313

PETITION TO REVIVE
UNINTENTIONALLY ABANDONED APPLICATION
UNDER RULE 137(b) [37 CFR §1.137(b)]

02/03/2005 HDEMESS1 00000041 140455 09882123

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Sir:

Applicants hereby petition under Rule 137 [37 C.F.R. 1.137(b)] to revive the above-captioned patent application which Applicants unintentionally abandoned. Applicants respectfully request the following petition to revive be considered.

A Final Action was received dated 19 July, 2004. Applicants responded on 10 November, 2004 with a one-month petition to extend. An Advisory Action was mailed dated 19 December, 2004 which stated that Applicants response did not place the application in condition for allowance. The Advisory Action inadvertently was placed in the incorrect case file.

The attorney docket did not show any action due in this case. On 26 January, 2005 the attorney became aware that the application was unintentionally abandoned upon opening another case file and finding the Advisory Action. As such time, she called her primary contact on this application, Mr. David Huang, requesting that he return her call about the case. The attorney also revised the Declaration to deal with one of the Examiner's points and prepared a draft Preliminary Amendment for filing with an RCE.

Mr. Huang returned the phone call on 27 January, 2005, advising he was out of the office. On 31 January, 2005, Mr. Huang returned to the office, reviewed and signed the declaration, and reviewed the Advisory Action and Preliminary Amendment.

The Commissioner is hereby authorized to charge the requisite petition fee to revive an unintentionally abandoned application as set forth in 37 C.F.R. 1.17(m) as well as any additional fees which may be required to Deposit Account No. 14-0455. A duplicate copy of this sheet is enclosed.

Also enclosed please find a Request for Continuing Examination with a Declaration under Rule 132 and a Preliminary Amendment.

In view of the foregoing, Applicant respectfully requests the application be revived and prosecution proceed accordingly.

Respectfully submitted,



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31 January 2005

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